IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION.

WRIT PETITION NO. 1179 OF 2005

Swapan M. Sainani ...Petitioner
versus
The Union of India & ors. ..... Respondent.

Office Notes, Office Memorada) Orders or directions and) Registrar's orders.)	Court's or Judge's Orders.

M.s.Karnik with M.S.Pritam
Tendulkar for the petitioenr
Ms. S.V.Bharucha with P.S.Jetin
for Respondents 1 to 3.

CORAM; V.G. PALSHIKAR &
D.B. BHOSALE, JJ.

DTAED; 19TH SEPT., 2005.

P.C.

1. By this petition, the petitioner has challenged the communication dated 24-2-2005 by which the petitioner was asked to vacate the shop premises no.35 in Gandhinagar Centre, Nashik on his failure to give sucession certificate.

2. By now the petitioner must have been evicted. Even otherwise the proper remedy for the petitioner is the civil suit

for declaration and possession. In such circumstances, reserving that remedy to the petitioner, the petition is dismissed. It will also be open for the petitioner to obtain the succession certificate and again approach the Government press, Nashik for allotment of a fresh licence.

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